

39252



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#18 Response  
9/16/02  
J. Gutler

In re Application of:

GERD ALTMAYER ET AL.

Serial No.: 09/446,523

Filed: December 28, 1999

For: FILTER ELEMENT WITH PLASTIC  
FILTER CASING

PATENT

Group Art Unit: 1723

Examiner: M. Ocampo

REPLY

Commissioner for Patents,  
Washington, D.C. 20231

Sir:

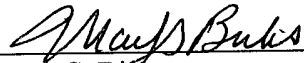
In response to the August 30, 2002 Advisory Action in the above-identified application, Applicants submit that the recitation of "forming an interference fit therebetween" in claim 10 is definite and complies with the requirements of 35 U.S.C. § 112.

An interference fit is a connection between two parts in which the inserted part is larger than and is forced within a receiving part. In claim 10, the mat filter is larger than and is forced within the filter casing to provide an interference fit between the mat filter and the filter casing. No reason is provided supporting the allegation of indefiniteness.

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Prompt and favorable action is requested.

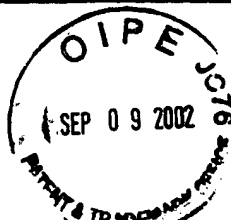
Respectfully submitted,

  
\_\_\_\_\_  
Mark S. Bicks  
Reg. No. 28,770

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036  
(202) 659-9076

Dated: \_\_\_\_\_

*Sep 9, 2002*



PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0021

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/446,523
Filing Date	December 28, 1999
First Named Inventor	Gerd ALTMAYER et al.
Group Art Unit	1723
Examiner Name	M. Ocampo
Attorney Docket Number	39252

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 9, 2002  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Extension and fee

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Other fees under 37 C.F.R. Sections 1.16 and 1.17
- b. ☒ Check in the amount of \$ 740.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark S. Bicks	Registration No. (Attorney/Agent)	28,770
Signature	<i>Mark S. Bicks</i>	Date	<i>Aug 9, 2002</i>

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	
Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

09/10/2002 SSITHIB1 00000036 09446523

01 FC:179

740.00 OP

PATENT

In re Application of:

Serial No.: 09/446,523

Filed: December 28, 1999

For: FILTER ELEMENT WITH PLASTIC CASING

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Request for Continued Examination in the above-identified application:

- ☐ Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	15	- 20 =	0
INDEP	1	- 3 =	0
<input type="checkbox"/> FIRST PRESENTATION OF MULT. DEP. CLAIM			
If the difference in Col. 1 is less than zero, enter "0" in Col. 2			

SMALL ENTITY

RATE	ADDIT. FEE
x 9 =	\$
x 42 =	\$
+ 130 =	\$
TOTAL	\$

OTHER THAN A  
SMALL ENTITY

RATE	ADDIT. FEE
x 18 =	\$
x 84 =	\$
+ 260 =	\$
TOTAL	\$

- ☒ Applicants petition for an extension of an additional third month to respond and submit herewith the additional fee of \$520.00, a two (2) month extension petition and the fee therefor having been filed on August 9, 2000.
- ☐ Please charge my Deposit Account No. 18-2220 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$1,260.00 is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.
- ☒ Any additional excess claim fees under 37 C.F.R. § 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. § 1.17.

09/10/2002 SSITHI81 00000036 09446523

02 FC:117 520.00 DP

Dated: Sept 9, 2002

Mark S. Bicks  
Mark S. Bicks  
Attorney of Record  
Reg. No. 28,770

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Case Docket No.: 39252

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